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ACTION ARA-16
INFO OCT-01 ADS-00 HA-06 CIAE-00 DODE-00 PM-07 H-01
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FM AMEMBASSY KINGSTON
TO SECSTATE WASHDC PRIORITY 5100
INFO AMEMBASSY BRIDGETOWN
AMEMBASSY GEORGETOWN
AMEMBASSY NASSAU
AMEMBASSY PORT OF SPAIN
USCINCO QUARRY HEIGHTS PA
C O N F I D E N T I A L KINGSTON 7303
E.O. 12065: GDS 10/1/86 (LAWRENCE, LOREN) OR-M
TAGS: PINS, PINT, JM
SUBJECT: SUPPRESSION OF CRIMES ACT EXTENDED AGAIN
REF: KINGSTON 6787

1. (U) SUMMARY. THE HOUSE OF REPRESENTATIVES VOTES SEPTEMBER 30 TO EXTEND THE SUPPRESSION OF CRIMES ACT UNTIL NOVEMBER 11. PNP RADICALS DID NOT USE THE OCCASION OF THE PARLIAMENTARY DEBATE TO CRITICIZE THE SECURITY FORCES. AS PARLIAMENT WILL BE DISSOLVED SOON AFTER THE DATE OF ELECTIONS IS ANNOUNCED, OBSERVERS HERE BELIEVE THE LENDGTH OF THE EXTENSION IS AN IMPORTANT INDICATOR OF THE MAXIUMU TIMEFRAME IN WHICH THE ELECTIONS WILL BE HELD. END SUMMARY.

2. (U) FOLLOWING A RELATIVELY CALM, SHORT AND ALMOST COLLEGIAL DEBATE IN PARLIAMENT ON SEPTEMBER 30, THE SUPPRESSIC OF CRIMES (SPECIAL PROVISIONS) ACT WAS EXTENDED FOR 42 DAYS UNTIL NOVEMBER11. THE ACT, WHICH GIVES SIGNI-FICANT POWERS TO THE JAMAICAN SECURITY FORCES TO COUNTER

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CRIMEAND VIOLENCE, WILL NOW BE IN FORCE PAST THE ELECTIONS, CURRENTLY EXPECTED TO BE ANNOUNCED ON OCTOBER 5 FOR LATE OCTOBER OR EARLY NOVEMBER.

3. (U) ACTING MINISTER OF NATIONAL SECURITY CARLYLE DUNKLEY TABLED THE RESOLUTION FOR THE 42-DAY EXTENSION DURING A SPEECH THAT WAS MARKED BY A CONCILIATORY TONE TOWARD THE SECURITY FORCES, WHICH HAD BEEN VILLIFIED BY PNP RADICALS IN PREVIOUS PARLIAMENTARY DEBATES OF THE ACT. NOTING THAT THERE HAD BEEN A RECENT UPSURGE IN THE NUMBER OF MURDERS DURING SEPTEMBER, DUNKELY CONCEDED THAT THE ADDITIONAL POWERS GIVEN TO THE SECURITY FORCES UNDER THE ACT WERE NECESSARY # HE ALSO NOTED THAT, SINCE THE LAST DEBATE ON THE ACT ON SEPTEMBER 9, THERE HAD BEEN A RELUCTION IN THE NUMBER OF REPORTED INCIDENTS INVOLVING

ABUSE OF THOSE POWERS. HE LAUDED THE COMMISSIONER OF POLICE AND THE COMMANDER OF THE JAMAICA DEFENSE FORCES FOR THEIR EFFORTS TO CURB ABUSES.
4. (U) IN SUPPORTING THE EXTENSION ON BEHALF OF THE OPPOSITION JAMAICA LABOR PARTY (JLP), HUGH SHEARER CRITICIZED PROMINENT POLITICAL FIGURES FOR LEADING DEMONSTRATIONS AGAINST THE SECURITY FORCES, AND CALLED FOR A REITERATION BY THE TWO PARTY LEADERS OF THEIR COMMITMENT TO ACHIEVING VIOLENCE-FREE ELECTIONS.
5. (U) NEW REGULATIONS TO AMEND THE SUPPRESSION OF CRIMES ACT, WHICH HAD BEEN TABLED ON SEPTEMBER 16 AND REFERRED TO A BIPARTISAN AD HOC CMMITTEE FOR CLARIFYING LANGUAGE, WERE ALSO PASSED ON SEPTEMBER 30. THE REGULATIONS, WHICH EARLIER SOME SAW AS AN ATTEMPT TO DELIBERATELY WEAKEN THE SPECIAL POWERS OF THE SECURITY FORCES RATHER

THAN AS AN ATTEMPT TO PROTECT THE RIGHTS OF CITIZENS, NOW HAVE LANGUAGE INDICATING WHAT SHOULD BE DONE BY THE SECURITY FORCES, NOT WHAT MUST BE DONE. FOR EXAMPLE, THE REGULATION THAT PROPERTY OWNERS OR OCCUPIERS ARE TO BE PRESENT DURING A SEARCH, WHICH COULD HAVE RESULTED IN TIME-CONSUMING DELAYS, NOW READS THAT SUCH STEPS AS ARE REASONABLY PRACTICAL SHOULD BE TAKEN TO ENSURE THAT THE OWNER OR OCCUPIER IS PRESENT.
6. (C) COMMENT: THE TWO PREVIOUS EXTENSIONS OF ONLY 21 DAYS, PLUS THE VITUPERATIVE SPEECHES BY SOME PNP MEMBERS OF PARLIAMENT DURING PREVIOUS DEBATES, LED TO WIDESPREAD SPECULATION THAT THE PNP WOULD ALLOW THE SUPPRESSION OF CRIMES ACT TO LAPSE BEFORE THE ELCTRONS IN ORDER TO GIVE FREER REIGN TO VIOLENT ELEMENTS WITHIN THE PARTY AND TO LESSEN THE POSSIBLITY OF MEMBERS OF THE SECURITY FORCES ACTING AGAINST THE PNP. WE HAVE HEARD THAT IN AN EARLY SEPTEMBER MEETING OF THE PNP EXECUTIVE AND IN A MORE RECENT MEETING OF THE SAME BODY ON SEPTEMBER 29, SOME PARTY LEADERS ARGUED AGAINST AN EXTENSION, BUT THAT PRIME MINISTER MANLEY AND OTHERS WHO FAVORED EXTENDING THE POWER, PREVIAILD. THE VERY REAL PROBLEM OF ESCALATING VIOLENCE AND THE GENERALLY FAVORABLE ATTITUDE OF THE POPULATION MOST AFFECTED BY THE VIOLENCE FOR A CNONTINED MILITRY PRESENCE ON THE STREETS PROBABLY INFLUENCED THE GOVERNMENT TO EXTEND THE ACT.
7. (C) THIS LATEST EXTENSION OF THE ACT WAS NOTABLE FOR THE ABSENCE OF A CAMPAIGN BY THE PNP RADICASL AND THE LAILY NEWS AGAINST AN EXTENSION. RADICAL PNP MEMBERS OF PARLIAMENT WHO HAD EARLIER ATTACKED THE SECURITY FORCES IN THE DEBATE ONPREVIOUS EXTENISON OF THE ACT. DID NOT EVEN SHOW UP AT PARLIAMENT ON SEPTEMBER 30.
8. (C) SELECTION OF A 42 DAY PERIOD IS A SIGNIFICANT

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INDICATIOR OF THE DATE OF THE ELECTIONS. SINCE PARLIAMENT SHOULD BE DISSOLVED SHORTLY AFTER THE DATE OF THE ELECIONS IS ANNOUNCED (PRIMIN MANLEY IS ECPECTED TO ANNOUNCE THE DATE IN MONTEGO BAY ON SUNDAY, OCTOBER 5) TUESDAY PARLIAMENTARY MEETING WAS THE LAST OPPORTUNITY TO EXTEND THE ACT. THE ELECTIONS SHOULD OCCUR, THEREFORE NO LATER THAN NOVEMBER 11, WHEN THE ACT IS DUE TO EXPIRE AGAIN.

LAWRENCE

NOTE BY OC/T: (#) AS RECEIVED. CORRECTION TO FOLLOW.

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